

REMARKS

Claims 1-8 are all the claims pending in the application. Claims 1 and 6 have been amended for purposes of further clarity.

Entry of the above amendments is respectfully requested.

Initially, the Examiner is respectfully requested to acknowledge Applicant's claim to priority under 35 U.S.C. §119, and confirm receipt of the priority documents submitted on June 24, 2003.

In addition, the Examiner is respectfully requested to indicate that the Figures submitted on June 24, 2003 have been accepted.

I. Response to Rejection of Claims 1-8 over Ohno

Claims 1-2 and 6 are rejected under 35 U.S.C. §102(e) as allegedly being anticipated by Ohno et al. (US App 2003/0054201).

Applicants respectfully traverse the rejection and submit that Ohno does not anticipate the present invention.

The Examiner cites Ohno as disclosing a method for producing a magnetic recording medium having a non-magnetic substrate coated with a magnetic coating material containing a ferromagnetic powder and a binder. Ohno is also cited as disclosing that a ferromagnetic powder and solvent is initially separate from a binder, and that the ferromagnetic powder, solvent, and binder are mixed together by applying an ultrasonic wave. *See* [0021] and [0081].

Initially, it is noted that, in the process according to claim 6, an ultrasonic wave is applied to a mixture of ferromagnetic powder and a solvent before a binder is added thereto. The Examiner acknowledges that Ohno does not disclose such step. *See* page 3, item 4 of the

Office Action. Therefore, it is respectfully submitted that Ohno does not anticipate the present invention according to claim 6.

The present invention according to claim 1 is directed to a method for producing a magnetic recording medium and the method basically comprises mixing a liquid A comprising a ferromagnetic powder and a solvent with a solution B of a binder by applying an ultrasonic wave thereto to obtain a magnetic coating material.

The Examiner takes the position that Ohno discloses that a ferromagnetic powder and solvent is initially separate from a binder. To support such position, the Examiner refers to the disclosure at [0021]. However, the disclosure at [0021] is directed to the abrasive (e.g., inorganic nonmagnetic powder; *see* [0033]), and not to ferromagnetic powder.

In addition, although Ohno discloses that it is possible to pre-disperse part of the components in advance before addition, or alternatively the components can be separately dispersed and then mixed with each other in [0081], Ohno does not specifically teach the premixing of a magnetic material (e.g., ferromagnetic powder) with a solvent before adding a binder, as required by claim 1. In fact, throughout the disclosure, Ohno teaches mixing/kneading a magnetic material, binder and solvent together. For example, in [0027], Ohno discloses that when preparing a magnetic coating solution, kneading of a magnetic material, a binder and a small amount of solvent is generally carried out with a strong shear force by means of a device such as a kneader. Also, in [0070], Ohno discloses that additives can be added "during the kneading step involving the ferromagnetic powder, a binder, and a solvent." (underlining added).

Further, none of the Examples disclose premixing of a ferromagnetic powder and solvent before mixing with a binder. In the Examples of Ohno, a vinyl chloride based resin (binder) and methyl ethyl ketone/cyclohexanone (solvent) were added to a kneader containing ferromagnetic metal powder.

In view of the above, it is respectfully submitted that there is no disclosure in Ohno directed to a mixture of a ferromagnetic powder and a solvent, which is initially separate from a binder. Thus, Ohno does not teach liquid A comprising a ferromagnetic powder and a solvent or solution B of a binder of the present invention according to claim 1.

Accordingly, Ohno does not disclose the present invention according to claim 1.

In addition, claim 3 is rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Ohno et al. in view of Hall et al., claims 4 and 7 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Ohno et al. in view of Ikeuchi et al., and claims 5 and 8 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Ohno et al. in view of Akashi et al.

Each of claims 2-5 and 7-8 depend directly from claim 1 or 6. Thus, it is respectfully submitted that these claims are patentable for at least the same reasons as claims 1 and 6. Further, the secondary references do not make up for the deficiencies of Ohno.

In view of the above, withdrawal of the rejection is respectfully requested.

II. Conclusion

For the above reasons, reconsideration and allowance of claims 1-8 is respectfully requested.

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Application No. 10/601,593

Attorney Docket Q76204

If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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